

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

04 10705 RWZ Civil Action No.: 35

FOTINEE FARAH ZAKI,  
Plaintiff,

MAGISTRATE

JUDGE

Cohen

VS.

UNITED STATES OF AMERICA,  
Defendant.

## COMPLAINT AND JURY DEMAND

RECEIPT #

AMOUNT \$ 150

SUMMONS ISSUED yesLOCAL RULE 4.1 1WAIVER FORM 1

MCF ISSUED

BY DPTY. CLK. FBMDATE 4/6/04

1. This action arises under the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 2401(b), 2671-2680, as hereinafter more fully appears.
2. Plaintiff, Fotinee Farah Zaki, is an individual residing at 1265 Killaby Drive, Mississauga, Ontario, Canada.
3. On or about September 5, 2001, Plaintiff was operating a 1989 Toyota sedan westbound on Ocean Street (Route 139) in Marshfield, Massachusetts.
4. At the same time and place, on Main Street in Marshfield, Massachusetts, Edward W. Keen was operating a mail truck owned by the Defendant United States of America.
5. At such time and place, Edward W. Keen was an employee of the United States Postal Service, an agency of the United States of America, and was acting within the scope of his employment.
6. Defendant's employee Edward W. Keen did operate the motor vehicle referred to in paragraph four of this Complaint in a negligent and careless manner so as to cause it to collide with the motor vehicle operated by Plaintiff.
7. As a direct and proximate result of the negligence and carelessness of Defendant's employee Edward W. Keen in the operation of Defendant's mail truck as referred to in paragraph six of this Complaint, Plaintiff was caused to suffer and continues to suffer severe and permanent injuries, including, but not limited to, a fracture of her left hand with resultant reflex sympathetic dystrophy with ongoing loss of function and pain.
8. As further consequences of such negligence and carelessness, Plaintiff suffered and continues to suffer great physical and mental anguish and distress; incurred expenses for medical care and treatment in excess of \$15,000.00, and continues to incur such expenses; suffered and will continue to suffer permanent impairment of her ability to work and earn income, and to attend to her usual activities; sustained property damage for the total loss of her motor vehicle in the amount of \$2,350.00; and sustained other serious damages and losses.

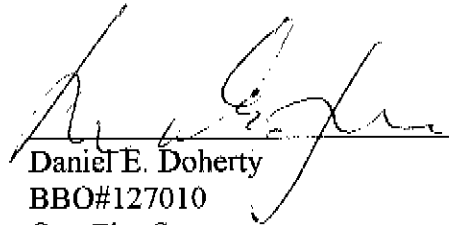
9. If Defendant were a private person, it would liable to Plaintiff in accordance with the law of the Commonwealth of Massachusetts.
10. Pursuant to 28 U.S.C. § 2675(a), the claim set forth herein was presented to the United States Postal Service on August 18, 2003. The United States Postal Service denied the claim on October 17, 2003.

WHEREFORE, Plaintiff, Fotinee Zaki, demands judgment against Defendant, United States of America, for the sum of \$1,002,350.00, together with interest and costs.

JURY DEMAND

Plaintiff demands a trial by jury as to all issues so triable.

FOTINEE FARAH ZAKI  
By her Attorney,



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